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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the application of: Allan Balmain and  
Jingde Zhu

Serial No.: 09/051159

Filed: January 13, 1999

For: Antitumor Vector Constructs and Methods

Attorney Docket No.: CCI-005US

Group Art Unit: 1632

Examiner: P. Brunovskis, Ph.D.

Commissioner for Patents  
Box AF  
Washington, D.C. 20231

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

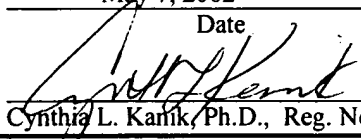
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 7, 2001 of the Primary Examiner finally rejecting claims 1-24. A Request for Three-Month Extension of Time is being filed concurrently herewith.

A check in the amount of \$160.00 is enclosed to cover the appropriate Appeal fee based on small entity status. If for any reason the fee is insufficient, please charge the balance to Deposit Account 12-0080 of the undersigned attorneys. A duplicate of this sheet is enclosed.

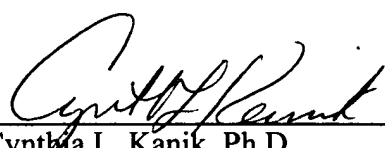
**Certificate of First Class Mailing (37 CFR 1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box AF, Washington, DC 20231 on:

May 7, 2002  
Date

  
Cynthia L. Kanik, Ph.D., Reg. No. 37,320

Respectfully submitted,  
  
LAHIVE & COCKFIELD, LLP

  
Cynthia L. Kanik, Ph.D.  
Reg. No. 37,320  
Attorney for Applicants